

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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DW Harrow & Assoc., LLC,  
*as Trustee of the Diocese of  
Winona-Rochester Settlement Trust,*

File No. 22-cv-1259 (ECT)

Plaintiff,

**ORDER ACCEPTING REPORT  
AND RECOMMENDATION**

v.

United States Fire Insurance Company,

Defendant.

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United States Bankruptcy Judge William J. Fisher issued a Report and Recommendation on April 22, 2022, that was filed with this Court on May 9, 2022. ECF No. 1. No party has objected to that Report and Recommendation. The Court has reviewed the record de novo, *see* Fed. R. Bankr. P. 9033, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 1] is **ACCEPTED**; and
2. Defendant's motion to dismiss [U.S. Bankruptcy Court No. 18-3094, Dkt. No. 112] is **DENIED**;
3. Consistent with the Bankruptcy Court's Report and Recommendation, the case is **REMANDED** to the State of Minnesota, County of Winona, Third Judicial District Court.

Dated: June 2, 2022

s/ Eric C. Tostrud  
Eric C. Tostrud  
United States District Court